

SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

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SUBMITTAL DATE:  
March 16, 2009

FROM: TLMA - Planning Department

SUBJECT: Adoption of Resolution No. 2009-061 – Diminishment of Rancho California  
Agricultural Preserve No. 29 – Agricultural Preserve Case and Map No. 1013 – Applicant:  
Temecula Public Cemetary – Third Supervisorial District – Rancho California Zoning Area –  
Southwest Area Plan – 52.68 Acres (Gross)

RECOMMENDED MOTION: Adoption of Resolution No. 2009-061 for the diminishment of  
Rancho California Agricultural Preserve No. 29, Map No. 1013, based upon the hereinafter  
listed findings and conclusions:

FINDINGS:

1. The ±52-acre parcel is located north of and adjacent to Dottie Court, south of and adjacent to Calle Bartizon, east of and adjacent to Camino Del Vino and westerly of Bella Vista Road in the Rancho California area of western Riverside County, California.
2. Andrew M. Collins and Andrew Collins entered into a land conservation contract with the County of Riverside for land within Rancho California Agricultural Preserve No. 29. The contract is dated January 1, 1977, and was recorded on February 28, 1977, as Instrument No. 32840 in the Office of the County Recorder of Riverside County, California.
3. Pursuant to the Land Conservation Act, Daniel Lee Stephenson, the subsequent property owner of Assessor's Parcel No. (APN) 924-360-002-8, filed a notice of non-renewal on September 11, 1990, which notice was recorded on October 1, 1990, as

Ron Goldman  
Planning Director

RG:kb

(Continued On Attached Page)

REVIEWED BY COUNTY COUNSEL

DATE *David Huff* 3/11/09

DAVID H. K. HUFF

Departmental Concurrence

REVIEWED BY EXECUTIVE OFFICE

DATE 3/17/09

Tiffa Grande

Policy  Policy

Consent  Consent

Dept't ecomm.:  
Per Exec. Ofc.:

Prev. Agn. Ref.

District: Third

Agenda Number:

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Instrument No. 362116, and, as a consequence, the land conservation contract as it applies to the subject property expired on January 1, 2000.

4. Under both the County's Rules and Regulations Governing Agricultural Preserves and the General Plan's Williamson Act Program (i.e., Land Conservation Act), a landowner may apply to have property removed from the boundaries of an agricultural preserve, once the contract has expired.
5. The land conservation contract having expired, Scott Cooper, as authorized representative for the *current* property owner of 924-360-002-8, 993 Arthur Avenue Corporation, a New York Corporation, has now applied to have the property removed from the boundaries of the agricultural preserve.

**CONCLUSION:**

1. The diminishment of Rancho California Agricultural Preserve No. 29, Map No. 1013, is consistent with the provisions of the Land Conservation Act and the Rules and Regulations Governing Agricultural Preserves in Riverside County as adopted by the Board of Supervisors.
2. The diminishment of Rancho California Agricultural Preserve No. 29, Map No. 1013, is consistent with the Riverside County General Plan.

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**RESOLUTION NO. 2009-061  
DIMINISHMENT OF RANCHO CALIFORNIA  
AGRICULTURAL PRESERVE NO. 29  
(Government Code Section 51231)**

**WHEREAS, Andrew M. Collins and Andrew Collins entered into a Land Conservation Contract with the County of Riverside pursuant to the California Land Conservation Act of 1965 (Government Code Section 51200 et seq.), which contract is dated January 1, 1977, and was recorded February 28, 1977, as Instrument No. 32840, in the Office of the County Recorder of Riverside County, California; and,**

**WHEREAS, Daniel Lee Stephenson, the subsequent landowner, filed a Notice of Nonrenewal on September 11, 1990, which notice was recorded on October 1, 1990, as Instrument No. 63211, in the Office of the County Recorder of Riverside County, California;**

**WHEREAS, the filing of said Notice of Nonrenewal resulted in the expiration of the contract as it applies to Assessor's Parcel No. 924-360-002-8 on January 1, 2000, pursuant to Government Code Section 51245 and 51246;**

**WHEREAS, Scott Cooper, as authorized representative for the current landowner of APN 924-360-002-8, 1993 Arthur Avenue Corporation, a New York Corporation, has requested to have the property removed from the boundaries of the agricultural preserve; now, therefore,**

**BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on March 24, 2009, that:**

- 1. Rancho California Agricultural Preserve No. 29, Map No. 405, dated February 15, 1977, and on file in the Office of the Clerk of this Board, is further amended by deleting therefrom the area shown on the map entitled "AGRICULTURAL PRESERVE MAP NO. 1013: AMENDMENT NO. 3 (DIMINISHMENT) OF**

FORM APPROVED COUNTY COUNSEL  
BY *[Signature]* DATE 3/11/09  
DAVID H.K. HUFF

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**RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 29" and described by boundary description thereof, as fully set forth in the attached document entitled "EXHIBIT A, RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 29, MAP NO. 1013 (DIMINISHMENT)," which is made part of this resolution, said map and description both being on file in the Office of the Clerk of the Board.**

- 2. The diminishment of Rancho California Agricultural Preserve No. 29, Map No. 1013, is consistent with the provisions of the Land Conservation Act of 1965, the Riverside County General Plan, and the Rules and Regulations Governing Agricultural Preserves in Riverside County as adopted by the Board of Supervisors.**

**BE IT FURTHER RESOLVED that the Clerk of this Board shall file and record copies of this resolution, map and boundary description in the Office of the County Recorder of Riverside County, California, with the Director of Conservation of the State of California, and with the Office of the Assessor of Riverside County, California.**

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**EXHIBIT A  
 RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 29  
 MAP NO. 1013  
 (DIMINISHMENT)**

All that certain real property situated in the County of Riverside, State of California, described as follows:

A portion of the Rancho Pauba as shown in Book 1, Page 45 of Patents of Records of San Diego County Records, also a portion of Parcel M-29 as shown by Records of Survey recorded in Book 50, Pages 68-75, in the County of Riverside, State of California, in the office of the County Recorder of said County, more particularly described as follows:

Commencing at the Southwesterly corner of Parcel M-3, as shown on said Map;

Thence South 71° 20' 06" West and along the Southerly line of said Parcel M-29, 34.09 feet to the Point of Beginning;

Thence South 71° 20' 06" West and continuing along said Southerly line of Parcel M-29, 2015.91 to the Southwesterly corner thereof, also being a point on a nontangent curve Southwesterly having a radius of 3000.00 feet and a radial bearing that bears South 64° 47' 04" West;

Thence Northwesterly and along said curve through a central angle of 06° 43' 14" and an arc length of 357.05 feet to the point of tangency;

Thence North 31° 56' 10" West and along the Westerly line of said Parcel M-29, 1000.00 feet to the Northwesterly corner thereof;

Thence North 78° 32' 48" East and along the Southerly line of Parcel M-1 as shown on said Map, 972.50 feet to the Southeasterly corner thereof;

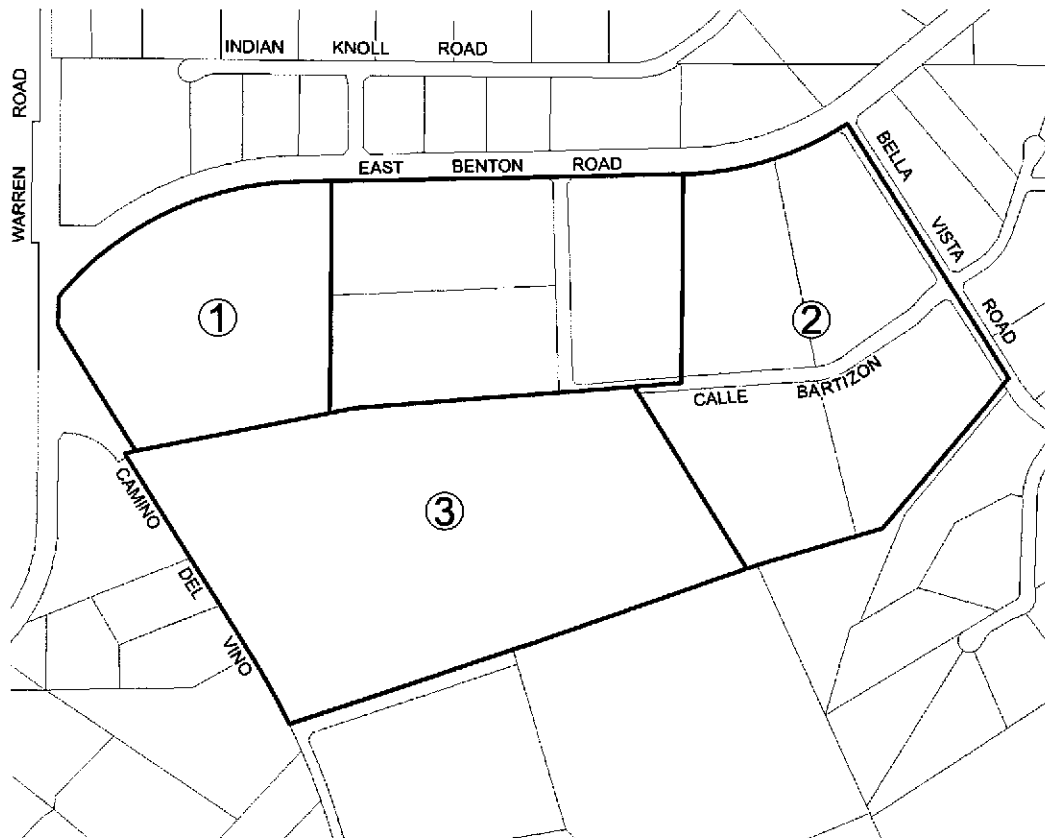
Thence North 85° 44' 42" East and along the Southerly line of Parcel M-2, 1166.44 feet to a point that bears South 85° 44' 42" West, 198.00 feet from the Southeasterly corner of said Parcel M-2;

Thence South 31° 46' 59" East, 913.67 feet to the Point of Beginning.

<b>Assessor Parcel No.</b>	<b>Acres (Gross)</b>	<b>Owners</b>
<b>924-360-002-8</b>	<b>52.68</b>	<b>1993 Arthur Avenue Corporation</b>
<b>Total</b>	<b>52.68</b>	

# MAP NO. 405 RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 29

AMENDED BY MAP NO. 868, 993, 1013  
T. 7S., R.2W. S.B.B. & M.



#### AMENDMENTS:

NO. 1, (DIMINISHMENT), DECEMBER 17, 2002, MAP NO. 868  
NO. 2, (DIMINISHMENT), FEBRUARY 26, 2008, MAP NO. 993  
NO. 3, (DIMINISHMENT), , MAP NO. 1013

ADOPTED ON FEBRUARY 15, 1977  
BY THE BOARD OF SUPERVISORS  
OF THE COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA.

